

**REMARKS**

Claims 1-15 have been canceled. New claims 16-25 are in this application.

The abstract was objected to because "it contains phrase 'or the like' which is not concise." The present abstract has been amended herein so as to delete this phrase.

Claims 1, 14, and 15 were rejected under 35 U.S.C. 102(e) as anticipated by Hachiya et al. (U.S. Patent No. 6,199,097). Claims 2-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hachiya et al. (U.S. Patent No. 6,199,097) as applied to claims 1, 14, and 15, and in view of Uomini (U.S. Patent No. 6,018,761).

As previously indicated, claims 1-15 have been canceled. New independent claim 16 recites in part the following:

“reading means for reading a lookup table including  
electronic mail account information and a music file  
corresponding to said electronic mail account information;  
and

retrieving means for retrieving said music file  
corresponding to said electronic mail account information  
of said electronic mail sender information received by said  
receiving means.”

It is respectfully submitted that Hachiya as applied by the Examiner (hereinafter merely “Hachiya”) does not disclose the above features of claim 16. Accordingly, it is believed that claim 16 is distinguishable from Hachiya. For somewhat similar reasons, it is also believed that new independent claim 21 is distinguishable from Hachiya. New claims 17-20 and 22-25 are dependent from one of new independent claims 16 and 21 and, due to such dependency, are also believed to be distinguishable from Hachiya for at least the reasons previously described. Uomini as applied by the Examiner (hereinafter merely “Uomini”) does not appear to overcome

the described deficiencies of Hachiya. Accordingly, it is believed that new claims 16-25 are also distinguishable over the applied combination of Hachiya and Uomini.

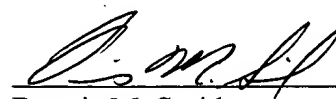
In the event that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

The Examiner has apparently made of record, but not applied, several documents. The Applicants appreciate the Examiner's implicit finding that these documents, whether considered alone or in combination with others, do not render the claims of the present application unpatentable.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By:



Dennis M. Smid  
Reg. No. 34,930  
(212) 588-0800